

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting--Workshop  
9:30 a.m., August 31, 2004

City Council Chambers  
455 North Main

ORDER OF BUSINESS

- Call to order
- Approve the minutes of the August 17, 2004 meeting.

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UNFINISHED BUSINESS

(9:30 a.m.)

1. Fraternal Order of Police Fact-Finding.

RECOMMENDED ACTION: Take such action as the City Council deems to be in the public interest, including the interest of the public employees involved.

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CONSENT AGENDA

2. Reports of the Board of Bids and Contracts Dated August 23, and August 30, 2004.

RECOMMENDED ACTION: Receive and file reports; approve Contracts; authorize necessary signatures.

3. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2004</u>	<u>(Consumption off Premises)</u>
Dao Q. Tran	B&H Fast Trips	2796 South Seneca
Stan Edde	Fallely's Inc./dba Food For Less #18	6727 West Central
Stan Edde	Fallely's Inc./dba Food For Less #23	2141 South Meridian
Stan Edde	Fallely's Inc./dba Food For Less #37	3020 East Douglas
Stan Edde	Fallely's Inc./dba Food For Less #38	640 North West Street
John F. Boyd	Osco Drug #5111	2323 North Amidon
John F. Boyd	Osco Drug #5135	4035 East Harry
John F. Boyd	Osco Drug #5132	2501 South Seneca
James Smith	Farmers Market, Inc.	2901 North Broadway
Steven Byers	CB's Express Inc. #6	7115 West 13th Street

(Item 3 continued)

<u>New Operator</u>	<u>2004</u>	<u>(Consumption off Premises)</u>
Amain S. Muthana	Central Food Mart Inc.	2900 East Central
<u>New Operator</u>	<u>2004</u>	<u>(Consumption on Premises)</u>
Angela Lee Ray	El Matador Lounge*	2033 South Broadway
<u>Special Event</u>	<u>September 17,18,19, 2004</u>	
Jaya Escobar	Compadres Gran Fiesta Patria	2141 North Market
	<u>September 18, 2004</u>	
Juanita A. Albert	Artichoke (Chili & BBQ Cook-off)	Old Town Parking Lots 9 & 10

\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses, subject to Staff review and approval.

4. Preliminary Estimates:

- a) 2004 Sanitary Sewer Rehabilitation, Phase E - north of 31st Street South, between Broadway and 143rd Street East, (468-83851/620414/664534) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, III) - \$300,000
- b) Water distribution system to serve Shadow Woods Addition - north of Maple, west of 135th Street West. (448-89817/735207/470877) Does not affect existing traffic. (District V) - \$60,000
- c) Victoria from Marie, north to 44th Street South; Marie from the east line of Lot 3, Block B, east to Greenwood; 44th Street South from the west line of Lot 1, Block D, east to Hydraulic; Greenwood from 45th Street South, north to 44th Street South to serve Hidden Glen Addition - north of 47th Street South, west of Hydraulic. (472-83625/765883/490994) Does not affect existing traffic. (District III) - \$228,000

RECOMMENDED ACTION: Approve and file.

5. Deeds and Easements:

- a) Sanitary Sewer Easement dated October 21, 2002 from Gilbert L. and Lisa A. Perez for a tract of land located in the Southwest Quarter of Section 2, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Main 20, SWI, OCA #744056). No cost to City.
- b) Utility Easement from the City of Wichita, Kansas, a Municipal Corporation for a tract of land located in Lot 9, Block 1, Regency Park Addition, an addition to Wichita, Sedgwick County, Kansas (1050 PPW, OCA #607853). No cost to City.
- c) Utility Easement from the City of Wichita, Kansas, a Municipal Corporation for a tract of land located in Lot 9, Block 1, Regency Park Addition, an addition to Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.

(Item 5 continued)

- d) Water Easement dated August 5, 2004, from Jarold E. Smith for a tract of land located in the Southwest Quarter of Section 9, Township 28 South, Range 1 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas (Project 448-89924, OCA #735176). No cost to City.
- e) Water Easement dated August 14, 2004, from Arnold J. Lambertz for a tract of land located in the Northwest Quarter of Section 9, Township 28 South, Range 1 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas (Project 448-89924, OCA #735176). No cost to City.
- f) Sanitary Sewer Easement dated August 6, 2004, from Charlotte Smith for a tract of land located in Lot 17, Block 2, Bartlow Second Addition to Wichita, Sedgwick County, Kansas, (Lat32, M2, SWI, OCA #744070). No cost to City.
- g) Waterline Easement dated July 28, 2004, from Raytheon Aircraft Company for a tract of land located in the Southeast Quarter of Section 9, Township 27 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas (Private Project, OCA #735197). No cost to City.

RECOMMENDED ACTION: Accept documents.

6. Change Orders:

- a) 21<sup>st</sup> Street at Rock Road Intersection improvement. (District II)
- b) Rock Road improvement, between 21<sup>st</sup> Street and 29<sup>th</sup> Street. (District II)
- c) Waterline replacement in an area bounded by Lincoln, Kellogg, Quentin, and Edgemoor. (District III)

RECOMMENDED ACTION: Approve the Change Orders and authorize the necessary signatures.

7. Petitions for Public Improvements:

- a) Construct a sanitary sewer for Brentwood South Second Addition, north of Pawnee, east of Webb. (District II)
- b) Construct a sanitary sewer to serve Highland Springs Third Addition, west of 135<sup>th</sup> Street West, south of Central. (District V)
- c) Construct a storm water drain for an unplatted tract located south of 29<sup>th</sup> Street North, west of Maize. (District V)
- d) Construct a storm water sewer to serve Evergreen and Newmarket Square Additions, north of 21<sup>st</sup> Street, west of Maize. (District V)
- e) Install traffic signals at the intersection of Maize at Central Park Street, north of 21<sup>st</sup> Street. (District V)
- f) Install traffic signals on Greenwich Road, approximately 850 feet north of 21<sup>st</sup> Street. (District V)
- g) Sanitary sewer main and water distribution system to serve Harvest Ridge Addition, south of 31<sup>st</sup> Street South, west of Maize. (District IV)

(Item 7 continued)

- h) Sanitary sewer and water distribution system to serve part of Lot 2, Ridge Port North Addition, east of Ridge, south of 37<sup>th</sup> Street South. (District V)
- i) Street paving, drainage improvements, and water distribution systems to serve Southern Ridge Addition, south of Pawnee, west of Maize. (District IV)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

8. Consideration of Street Closures/Uses:

- a) 37<sup>TH</sup> Street, east of Broadway and Washington, south of Southeast Boulevard. (Districts VI and I)
- b) Wichita Black Arts Festival-September 4,5, and 6, 2004.

RECOMMENDED ACTION: Approve the street closures.

9. Report on Claims Allowed – July 2004:

<u>Name of Claimant</u>	<u>Amount</u>
Gartrell, Earl	\$750.00
Machalek, Joe	\$1400.00**
Peterson, Kathy	\$466.66

\*\*Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

10. Expense for Senior Management for Month of July 2004.

RECOMMENDED ACTION: Receive and file.

11. Agreements/Contracts:

- a) Electronic security.
- b) Hydrogeologic investigations for a horizontal collector wall.
- c) Project Access.
- d) Planeview Community Library Memorandum of Agreement. (District III)
- e) K-254 Corridor Study Coalition Interlocal Agreement.
- f) Construction engineering and staking in Hidden Glen Addition, west of Hydraulic, south of 44<sup>th</sup> Street South. (District II) – Supplemental.
- g) Staking in Krug North Addition, north of 21<sup>st</sup> Street, west of 143<sup>rd</sup> Street East. (District II) – Supplemental.

(Item 11 continued)

- h) Central from Woodlawn to Rock Road. (District II) – Supplemental.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

12. Design Services Agreements:

- a) Sand Plum Addition, south of 45<sup>th</sup> Street North, west of Webb. (District II)
- b) Shadow Woods Addition, west of 135<sup>th</sup> Street West, north of Maple. (District V)
- c) Regency Park Addition, north of 21<sup>st</sup> Street, west of Greenwich. (District II)
- d) Shady Ridge Addition, south of Central, east of Ridge. (District V)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

13. Acquisition of Portions of the Abandoned Union Pacific Rail Corridor for the Midtown Greenway. (District VI)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

14. Amendment to Lease of Antenna Site on McLean Manor. (District VI)

RECOMMENDED ACTION: Approve the amendment and authorize the necessary signatures.

15. Amendment of Lease for Space at 2244 North Rock Road for Library Use. (District II)

RECOMMENDED ACTION: Approve the amendment to the Lease Agreement and authorize the necessary signatures.

16. Professional Services Agreement with Dynix Support.

RECOMMENDED ACTION: Approve the expenditure and vendor for the services quoted.

17. Memorandum of Understanding: Aquifer Storage & Recovery Project, Phase 1.

RECOMMENDED ACTION: Approve the MOU with Groundwater Management District #2 and authorize the necessary signatures.

18. Settlement of Lawsuit.

RECOMMENDED ACTION: Authorize payment of \$335,000.00 as a full settlement of all possible claims arising out of the transactions which are the subject of the lawsuit, and authorize the transfer of contingency funds in the Self Insurance Fund held for adverse claims experience.

19. Budget Adjustment.

RECOMMENDED ACTION: Approve the budget adjustment request to activate the contingency funds for diesel fuel, gasoline and purchased transportation.

20. Application for Kansas Wildlife & Parks Recreation Trails Grant. (District I)

RECOMMENDED ACTION: Approve the grant application and authorize the necessary signatures.

21. Correcting Resolution: Sanitary Sewer for Ridge Port North 4<sup>th</sup> and 5<sup>th</sup> Additions, South of 37<sup>th</sup> Street North, East of Ridge. (District V)

RECOMMENDED ACTION: Adopt the resolution.

22. Second Reading Ordinances (First read August 17, 2004)

a) Changes to the order of business at regular meetings.

An Ordinance of the City of Wichita pertaining to changes to the order of business at regular City Council Meetings; amending Code Sections 2.04.190 and 2.04.390; and repealing the originals of said Sections.

b) A04-20 - north of 13th Street between 135th and 151st Street West. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A04-20

RECOMMENDED ACTION: Adopt Ordinances

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PLANNING AGENDA

NOTICE: Public hearing on planning Items is conducted by the MAPC under provisions of State Law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5 p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

\* Consent Items

23. \*CON2003-00008-Conditional Use for a Wireless Communication Facility. Generally Located South of Kellogg and East of Woodlawn-Additional Findings. (District II)

RECOMMENDED ACTION: Based upon review of the records of this matter and the Court Order of July 22, 2004, adopt the additional findings.

24. \*DED 2004-19-Contingent Dedication of a Sidewalk and Utility Easement, for Property Located on the Southeast Corner of West Street and 31<sup>st</sup> Street South. (District IV)

RECOMMENDED ACTION: Accept the Dedication.

25. \*SUB 2004-84-Plat of Eastside Community Church Addition, Located on the Northwest Corner of 21<sup>st</sup> Street North and 143<sup>rd</sup> Street East. (District II)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures and adopt the Resolutions.

Adjournment

\*\*\*Workshop to follow in the First Floor Boardroom\*\*\*